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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER: 514572000700 |
| INTERNATIONAL APPLICATION NO. PCT/CN2002/000940 | | INTERNATIONAL FILING DATE 31 December 2002 |
| TITLE OF INVENTION MAGNETISM BASED NUCLEIC ACID AMPLIFICATION | | PRIORITY DATE CLAIMED 10 December 2002 |
| APPLICANT(S) FOR DO/EO/US Xin XIE et al. | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment. (3 pages)
14. ☒ An Application Data Sheet under 37 CFR 1.76. (4 pages)
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of Published Application - WO 2004/053154 (31 pages)
Return Receipt Postcard

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.51) 107578443 | | INTERNATIONAL APPLICATION NO. PCT/CN2002/000940 | | ATTORNEY'S DOCKET NUMBER 514572000700 | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. | <input checked="" type="checkbox"/> | Basic national fee | \$300 | \$ 300.00 | |
| 22. | <input checked="" type="checkbox"/> | Examination fee | | | |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) | | | | \$100 | |
| All other situations | | | | \$200 | |
| 23. | <input checked="" type="checkbox"/> | Search fee | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority | | | | \$100 | |
| International Search Report prepared and provided to the Office | | | | \$400 | |
| All other situations | | | | \$500 | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 1,000.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 36 - 20 = | 16 | x 50.00 | \$ 800.00 | |
| Independent claims | 4 - 3 = | 1 | x 200.00 | \$ 200.00 | |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable) | | | | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 2,000.00 | |
| <input checked="" type="checkbox"/> | Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | \$ 1,000.00 | |
| SUBTOTAL = | | | | \$ 1,000.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 1,000.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 1,000.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>1,000.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Peng Chen MORRISON & FOERSTER LLP 3811 Valley Centre Drive Suite 500 San Diego, California 92130-2332 (858) 720-5117 CUSTOMER NUMBER: 25225</p> <p style="text-align: right;">SIGNATURE: <u>Peng Chen</u> NAME REGISTRATION NUMBER <u>43,543</u></p> | | | | | |
| <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 961005377 US, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.</p> <p>Dated: June 10, 2005 Signature: <u>Diane Blevins</u> (Diane Blevins)</p> | | | | | |